

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:21-cv-00115-FDW-DCK

WE CBD, LLC,

Plaintiff,

vs.

THE UNITED STATES OF AMERICA and
U.S. CUSTOMS AND BORDER
PROTECTION,

Defendants.


ORDER

THIS MATTER is before the Court on Plaintiff’s Motion for Temporary Restraining Order and Preliminary Injunction (Doc. No. 4) and the parties’ subsequent filing of the “Joint Notice to the Court Regarding the Seized Property At Issue” (Doc. No. 6). Pursuant to the Joint Notice that is signed by counsel for both parties, on March 17, 2021, prior to Plaintiff’s filing of the Complaint and Motion, Defendant United State Customs and Border Protection (“CPB”) had already destroyed a portion of the seized property. CPB continues to hold the remainder in a climate-controlled vault and contends it “will not destroy any of the remaining portion of the seized property sua sponte (*i.e.*, absent future forfeiture proceedings).” (Doc. No. 6, p. 2). The parties also note that “while the Parties may disagree as to whether Plaintiff is entitled to any damages, the Parties agree that the TRO and injunctive relief Plaintiff seeks in its emergency motion are now moot” (Doc. No. 6, p. 2). Accordingly, the Motion is DENIED AS MOOT.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction (Doc. No. 4) is DENIED AS MOOT. The Court hereby terminates the hearing set for Tuesday, March 30, 2021.

IT IS SO ORDERED.

Signed: March 29, 2021

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
United States District Judge

